

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

941D0492

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB1122** - 2/2/00

Introduced by: Representatives McNenny, Hennies, Juhnke, Napoli, Pummel, and Sutton
(Duane) and Senators Albers and Kleven

1 FOR AN ACT ENTITLED, An Act to require a removal agency to notify a county sheriff or
2 chief of police after removing certain motor vehicles.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-30 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If any removal agency as defined by § 32-36-2 removes any motor vehicle from a public
7 street or highway and the removal is not at the request of a law enforcement officer, the removal
8 agency shall report the removal to the county sheriff, if the removal occurred outside any
9 municipality, or to the chief of police, if the removal occurred inside any municipality, within
10 twenty-four hours of removing the motor vehicle. Failure to make a report as provided by this
11 section is a Class 2 misdemeanor.

12 Section 2. That chapter 32-30 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 If a removal agency fails to make a report as required by section 1 of this Act, the removal
15 agency is not entitled to any towing or storage fees for the removed vehicle and no such towing
16 or storage fees may be billed or collected by the removal agency.

1 **BILL HISTORY**

2 1/18/00 First read in House and referred to Local Government. H.J. 116

3 1/27/00 Scheduled for Committee hearing on this date.

4 2/1/00 Scheduled for Committee hearing on this date.

5 2/1/00 Local Government Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 337

6 2/1/00 Local Government Place on Consent Calendar.